GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Panchayat Raj & Rural Development Department - Cyclone Emergency Reconstruction Project, SPSR Nellore District – Orders of the Hon'ble I Additional Senior Civil Judge Court, Nellore in OS No.224/97 - Release of total decretal amount including interest of Rs.84,61,719/- to deposit in the Hon'ble Court – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (PROGS.II) DEPARTMENT

G.O.RT.No. 49 Dated: 24-01-2017

Read the following:

1.Orders dt:04.02.2008 of the Hon'ble I Additional Senior Civil Court, Nellore in O.S. No. 224/1997 filed by Late C.V. Krishnamma Naidu.
2. Orders dt:1.6.2015 of the Hon'ble High Court of AP in ASMP No.280/2015 in AS No.956/2008.
3. From the E-in-C., PR., Lr.No.AEE/DEE2/CEPR/NLR/Court vCases/956/2008, dt:25.11.2015 and 01.07.2016.

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ORDER:

In the reference 1st read above, the Hon'ble I Additional Senior Civil Judge, Nellore, in its orders dt:4.2.2008 decreed partly with proportionate cost directing the defendant to pay plaintiff a sum of Rs.29,96,599/- with future interest thereon at 12% per annum from the date of the suit to the date of decree and thereafter at 6% per annum till realization in OS.No.224/1997 filed by Late C.V. Krishnamma Naidu, represented by N.Kameswara Rao, GPA for the execution of work "Cyclone Emergency Reconstruction Project - Road from V.Chalam–Muthukur Road to Epur-Venkannapalem to Pattapupalem and Nellore Muthukur road to Brahmadeva Pottempadu branch road. The Petitioner filed EP.No.127/2014 due to delay of payment.

2. In the reference 2nd read above, the Hon'ble High Court, on the request of the dept., in its orders dt:1.6.2015 in ASMP No.280/2015 in AS 956/2008 granted interim stay on condition that the appellants deposit 50% of the decretal amount before the Court within two months from the date of interim stay (i.e., from 01.06.2015 to 30.07.2015), failure on the part of the appellants to deposit the amount, would result in the stay standing automatically vacated. Subsequently, the Hon'ble Court has granted another (3) months time upto 30.11.2015.

3. In his letter 3rd read above, the E-in-C., PR., has informed that the interim stay was vacated due to non-depositing of the amount as directed by the Hon'ble High Court and requested to release the full decretal amount including interest is Rs.84,61,719/- and furnished calculation of the decretal amount done by the Assistant Government Pleader, I Additional Senior Civil Judge Court, Nellore. The details are as follows:

S.No.	Particulars	Amount
1	Decretal amount	Rs.29,96,599/-
2	Interest 12% from date of suit filed from 25.06.1997 to 04.02.2008	Rs.38,14,671/-
3	Interest 6% from date of decree 05.02.2008 upto realization (31.5.2016)	Rs.14,96,290/-
4	Cost of the suit & Execution of Petition (E.P)	Rs.1,54,159
	Grand Total	Rs.84,61,719/-

4. Government, after careful examination of the proposal, hereby release the total decretal amount including interest of Rs.84,61,719/- by way of an advance from the Contingency fund for depositing the same in the Hon'ble I Additional Senior Civil Judge Court, Nellore in OS No.224/97 for the work "Road from V.Chalam–Muthukur Road to Epur-Venkannapalem to Pattapupalemand, Nellore Muthukur road to Brahmadeva Pottempadu branch road" in SPSR Nellore District, which was executed under Cyclone Emergency Reconstruction Project.

(PTO)

5. The Engineer-in- Chief, Panchayat Raj, shall take further necessary action in the matter accordingly.

6. This order issues with the concurrence of Finance (FMU-PR,RD & RWS) Dept. vide their U.O.No.46027/12/FMU-PR&RD, RWS/2016, dated.17.10.2016.

7. A Copy of this Order is available on the internet and can be accessed at www.ap.gov.in/goir.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-in- Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.
Copy to:
The Superintendent Engineer, Panchayat Raj, SPSR Nellore District.
The District Treasury Officer, SPSR Nellore District.
The Accountant General, Andhra Pradesh, Hyderabad.
The Finance (FMU-PR, RD &RWS) Dept.,
The PS to M (PR& RWS)
The PS to Principal Secretary (PR& RWS)
Sc /Sf.

// FORWARDED BY ORDER //

SECTION OFFICER